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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,907	12/26/2001	Yun-Ho Jung	8733.565.00	7489
30827	7590	07/20/2006	EXAMINER	
MCKENNA LONG & ALDRIDGE LLP			PADGETT, MARIANNE L	
1900 K STREET, NW			ART UNIT	
WASHINGTON, DC 20006			PAPER NUMBER	

1762

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/025,907

Applicant(s)

JUNG, YUN-HO

Examiner

Marianne L. Padgett

Art Unit

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—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 27 June 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows: *no amendments to be entered*
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 5-14.
 Claim(s) withdrawn from consideration: 1-4.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). "
 13. ☒ Other: PTO-892 (the continuing sheet).

Continuation sheet for PTOL-303**Continuation of section 11, request for reconsideration:**

Paragraph [0043] was previously considered as discussed in section 2 of the 112, first paragraph rejection in the 3/27/2006 rejection. Applicant quotes a sentence therein and says that it "clearly and affirmatively states that the X-Y stages in moved in both the x and y directions", concluding movement in both first and second directions is contemplated. Applicant then cites [0044] to show that the discussed SLS method may be adopted in crystallization of large substrates, however teaching movement in both x & y directions does not provide support for the specifically claimed steps of moving the stage in first one direction (i.e. not both x and y directions, but only x or only y), then after completing another block of crystallization stepping the stage in a direction perpendicular (orthogonal) to the first direction (i.e. not both x and y directions, but only x or only y). While the examiner will agree from applicant's arguments that the disclosure in the specification is broad enough to encompass the specifically claimed language added via amendments of 1/4/2006, etc., it does not provide language necessarily directed to the specific limitations claim. If one is to conclude that the claim language is an obvious possibility given the teachings in the specification, one may also conclude that it is an obvious possibility to use the processes and teachings of Im et al. (6,368,945 B1) in a like manner, as they also teach an X-Y stage that can be moved in either X or Y direction.

Applicant's claims require a specific sequence of stage stepping movements in specific relative directions between movements/stepping of the mask to complete individual blocks, but the cited more general disclosure of paragraphs [0043-44] do not necessitate the specific sequence, hence the claimed thereof must remain considered New Matter. If applicants truly consider it such an obvious variation of the general disclosure that it should be considered supported as implied by applicant's arguments, reinstatement of the art rejection over Im et al. would have to be considered due to the obviousness of this undisclosed specific sequence, as implied by applicant's arguments.

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Continuation of section 13:

Update of the search while considering applicants' arguments produced the references of 2005/0271952 A1 & PN 7,071,082 B2 to applicant, which are of interest for crystallization processes using masks, but do not claim the specific modes & sequence of movements to affect the claimed SLS process. Patents to Im (6,961,117 B2), Tanabe (6,989,300 B1) & Kasahara et al. (7,064,016 B2) are similarly of interest, while the following applications are not prior art, but are of interest to the state of the SLS art, particularly when employing masks: Im [et al.] (2005/0235903 A1, 2006/0040512 A1, 2006/0060130 A1 & 2006/0102901 A1); Yang (7,015,123 B2); Kumoni (2006/0065186 A1); Hwang (2006/0121369 A1); You (2006/0035478 A1, 2005/0233511 A1 & 2006/0003506 A1); Yamazaki et al. (6,984,573 B2 & 2006/0009016 A1); Sun (2006/0154154 A1); and Kim et al. (7,008,863 B2).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne L. Padgett whose telephone number is (571) 272-1425. The examiner can normally be reached on M-F from about 8:30 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks, can be reached at (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MLP/dictation software -- 7/17/2006

